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09/576,927	05/23/2000	Richard Reisman	1311.1200	3435

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EXAMINER
NGUYEN, QUANG N

ART UNIT	PAPER NUMBER
2141	

DATE MAILED: 03/25/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No. 09/576,927	Applicant(s) REISMAN, RICHARD
Office Action Summary	Examiner Quang N. Nguyen	Art Unit 2141

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on _30 January 2004_ .

2a) ☒ This action is **FINAL.**   2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) _1,3-8,10-15,17-22 and 24-50_ is/are pending in the application.

     4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) _1,3-8,10-15,17-22 and 24-50_ is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☒ The drawing(s) filed on _23 May 2000_ is/are: a)☒ accepted or b)☐ objected to by the Examiner.

     Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11) ☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved by the Examiner.

     If approved, corrected drawings are required in reply to this Office action.

12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

     a)☐ All b)☐ Some * c)☐ None of:

       1.☐ Certified copies of the priority documents have been received.

       2.☐ Certified copies of the priority documents have been received in Application No. _____ .

       3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

     * See the attached detailed Office action for a list of the certified copies not received.

14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

     a) ☐ The translation of the foreign language provisional application has been received.

15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _9-10_ .

4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: .

Detail Action

1.   This Office Action is in response to the Amendment A filed on 01/30/2004.

Claims 1, 4-8, 10-15, 18-22 and 25-31 have been amended. Claims 2, 9, 16 and 23

have been cancelled, without prejudice. Claims 32-50 have been added as new claims.

Claims 1, 3-8, 10-15, 17-22 and 24-50 are presented for examination.

Claim Rejections - 35 USC § 102

2.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that

form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in a patent granted on an application for patent by another filed in the
> United States before the invention thereof by the applicant for patent, or on an international application
> by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this
> title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act

of 1999 (AIPA) and the Intellectual Property and High Technology Technical

Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting

directly or indirectly from an international application filed before November 29, 2000.

Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior

to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

3.   Claims 1, 3-5, 8, 10-12, 15, 17-19, 22, 24-26 and 29-50 are rejected under 35 U.S.C. 102(e) as being anticipated by Berstis et al. (US 6,092,100), herein after referred as Berstis.

4.   As to claim 1, Berstis teaches a method for finding, in response to entry by a user of a resource identity signifier, a single intended target resource intended by the user to uniquely correspond to the resource identity signifier, among a plurality of resources, the method comprising:

receiving a resource identity signifier from the user (i.e., the user enters a character string for the intended target resource as in step 51 of Fig. 4); and

accessing a database (including an index of resources available on the network and information regarding user feedback gathered in previous executions) to determine, based on the database information including the multi-user feedback (i.e., based on the multi-user feedback information from the databases of one or more external dedicated servers 46-46n which maybe located at or associated with an Internet Service Provider "ISP" 48), which, if any, of the indexed resources is likely to be the intended target resource (i.e., the character string is indexed into a lexicon of server IP names that have been used by the Web client over a given "history" period to be matched against any entry in the lexicon with respect to a given confidence level, i.e., a predetermined threshold, to determine the "best" match, i.e., the intended target resource) (Berstis, Fig. 4 and corresponding text, C2: L27-42, C5: L24-35 and L50-67 and C6: L1-16).

5.   As to claim 3, Berstis teaches the method of claim 1, wherein a resource is determined, at the accessing step, as likely to be the intended target resource if the database information indicates that a confidence level associated with that resource is of at least a predetermined level, i.e., at least a predetermined threshold (Berstis, C6: L12-16).

6.   As to claim 4, Berstis teaches the method of claim 3, wherein if none of the indexed resources has an associated confidence level of at least the predetermined level, the method further comprises the step of:

        presenting the user with a list of one or more links to possible resources, the list being ordered according to confidence level, with a resource having a highest confidence level being ranked highest (Berstis, C6: L17-39).

7.   As to claim 5, Berstis teaches the method of claim 3, wherein the method further comprises the steps of:

        causing a computer of the user so as to enable that computer to connect to a URL of an indexed resource having a highest confidence level (i.e., if the user-entered character string best "matches" a URL entry in the lexicon by the predetermined threshold, the browser is automatically launched to the "best matched" URL) (Berstis, C6: L12-16); and

presenting the user with a list of one or more links to possible resources, the list

being ordered according to confidence level, with a resource having a highest

confidence level being ranked highest (Berstis, C6: L17-39).

8.   Claims 8 and 10-12 are corresponding apparatus claims of method claims 1 and

3-5; therefore, they are rejected under the same rationale.

9.   Claims 15 and 17-19 are corresponding system claims of method claims 1 and 3-

5; therefore, they are rejected under the same rationale.

10.   Claims 22 and 24-26 are corresponding computer-readable storage medium

claims of method claims 1 and 3-5; therefore, they are rejected under the same

rationale.

11.   Claims 29-31 are corresponding system, method and apparatus claims of

method claim 1; therefore, they are rejected under the same rationale.

12.   As to claims 32-35, Berstis teaches a method of finding a single, intended target

resource among a plurality of resources available on a network, the method comprising

the steps of:

obtaining a user-provided resource identity signifier (i.e., receiving the user-

entered character string for the intended target resource as in step 51 of Fig. 4); and

utilizing the obtained feedback information gathered from a plurality of previous

users stored in a database (i.e., utilizing the obtained feedback information stored in a

local history list/database and/or databases of one or more external dedicated servers

46-46n, which maybe located at or associated with an Internet Service Provider "ISP"

48, that preferably contain a more broad-based archive of URLs) to determine a

resource likely to be the single, intended target resource (Berstis, C2: L27-42, C5: L24-

36 and L50-67 and C6: L1-16).

13.   Claims 36-38 are corresponding apparatus claims of method claims 32-35;

therefore, they are rejected under the same rationale.

14.   Claims 39-42 are corresponding computer-readable storage medium claims of

method claims 32-35; therefore, they are rejected under the same rationale.

15.   As to claims 43-44, Berstis teaches the method of claim 1, further comprising the

steps of causing a computer of the user to connect to and display the determined

intended target resource, if any (Berstis, C6: L12-16)

16.   Claims 45-46 are corresponding apparatus claims of method claims 43-44;

therefore, they are rejected under the same rationale.

17.   Claims 47-48 are corresponding system claims of method claims 43-44;

therefore, they are rejected under the same rationale.

18.   Claims 49-50 are corresponding computer-readable medium claims of method

claims 43-44; therefore, they are rejected under the same rationale.

Claim Rejections - 35 USC § 103

19.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

20.   Claims 6-7, 13-14, 20-21 and 27-28 are rejected under 35 U.S.C. 103(a) as

being unpatentable over Berstis, in view of Edlund et al. (US 6,546,388), herein

after referred as Edlund.

21.   As to claim 6, Berstis teaches the method of claim 4, but does not explicitly teach

if a link has been selected, updating the database information so as to increase the

confidence level associated with the mapping between the resource identity signifier

and the address of the selected link and vice versa.

In the related art, Edlund teaches a system and method of metadata search

ranking for presenting to an end-user the matching search results of a search in an

index list of information wherein a Monitor Agent (component 0205 of Fig. 2) monitors

the user's selections of search results. Every time the user selects a search result item

for further viewing from the list of results, the Monitor Agent will then update the

Ranking Database (component 0207 of Fig. 2) to increase the popularity count/weight

(i.e., the confidence level) of the selected URL accordingly (as in step 408 of Fig. 4)

(Edlund, Figs. 2, 4, and corresponding text, C9: L17-51 and C10: L50-67).

Therefore, it would have been obvious to one having ordinary skill in the art at

the time the invention was made to combine the teachings of Berstis and Edlund to

update the database (ranking) information so as to increase the confidence level

(popularity count/weight) of the selected link (URL) because it would allow the system

maintain the current/up to date confidence level (popularity count/weight) of associated

indexed resources (URLs, web sites, web pages, links, files, etc) from returned search

results in order to determine the order in which the search results are presented and

displayed and which of the returned search results is likely to be the intended target

resource that the user's computer will be connected to.

22.   Claim 7 is a corresponding claim of claim 6; therefore, it is rejected under the

same rationale.

23.   Claims 13-14 are corresponding apparatus claims of claims 6-7; therefore, they
are rejected under the same rationale.

24.   Claims 20-21 are corresponding system claims of claims 6-7; therefore, they are
rejected under the same rationale.

25.   Claims 27-28 are corresponding computer-readable storage medium claims of
claims 6-7; therefore, they are rejected under the same rationale.

Response to Arguments

26.   In the remarks, applicant argued in substance that

(A)   Prior Art is silent regarding the use of feedback information gathered from
a plurality of previous users to determine a single, intended target resource.

As to point (A), **Berstis** teaches a fuzzy search engine 44 that tests the user-
entered character string against a "local" history list/database first and if it cannot find a
match then it maybe launched to test against databases of one or more external
dedicated servers 46-46n, which maybe located at or associated with an Internet
Service Provider "ISP" 48, that preferably contain a more broad-based archive of URLs,
i.e., feedback information gathered from a plurality of previous users (**Berstis**, C2: L27-

42, C5: L24-36 and L50-67 and C6: L1-16). Hence, **Berstis** does teach the use of feedback information gathered from a plurality of previous users to determine a single, intended target resource.

27.   Applicant's arguments as well as request for reconsideration filed on 01/30/2004 have been fully considered but they are not deemed to be persuasive.

28.   **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

29.   Any inquiry concerning this communication or earlier communications from the
examiner should be directed to Quang N. Nguyen whose telephone number is (703)
305-8190.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's
SPE, Rupal Dharia, can be reached at (703) 305-4003. The fax phone number for the
organization is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or
proceeding should be directed to the receptionist whose telephone number is (703) 305-
3800/4700.

Quang N. Nguyen

RUPAL DHARIA
SUPERVISORY PATENT EXAMINER